

REMARKS

Applicant respectfully requests that the above-identified application be re-examined.

The October 8, 2010, Office Action ("Office Action") in paragraph 2 raised certain claim objections. Applicant does not understand the basis for many of these objections since they were addressed in a preliminary amendment filed in this application that, according to PAIR, was entered in this application. The claim objections not addressed in the Preliminary Amendment have been addressed in this Response. While applicant believes that all claim objections have been addressed, if the Examiner disagrees, the Examiner is invited to contact applicant's attorney at the number set forth below.

The Office Action also rejected Claims 1 and 22 under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent Application No. 2002/0143782 (Headings et al.). Claims 2-5, 8, 10-17, 20, 23-26, 29, and 31¹ were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of the teachings of Headings et al. taken in view of the teachings of U.S. Published Patent Application No. 2003/0061305 (Copley et al.). Claims 6-7, 9, 21, 27-28, 30 and 42 were rejected in the Office Action as unpatentable in view of the teachings of Headings et al. taken in view of the teachings of Copley et al., taken further in view of the teachings of U.S. Published Patent Application No. 2002/0156702 (Kane). Finally, Claims 18-19 and 39-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of the teachings of Headings et al. and Copley et al., taken further in view of the teachings of U.S. Patent No. 6,944,662 (Devine et al.).

While applicant disagrees with the foregoing prior art grounds of rejection, in order to advance the prosecution of this application, independent Claims 1 and 22, the only independent claims in this application, have been amended to recite that "media programs" include "at least

¹ Presumably this list should also have included Claims 32-38 and 41 since remarks accompanying this ground of rejection also address these claims.

one media template, a hierarchical navigation structure and associated media assets." Claims 1 and 22 have also been amended to recite how the media assets are laid out and behave when published. Finally, Claims 1 and 22 have been amended to recite a "dynamic display engine" that runs on the "output platform" to cause publication of the media assets specified by the media programs. Support for the amendments to Claims 1 and 22 can be found at least the following locations in the specification:

Page 12, lines 5-9	A dynamic display engine 123 is provided to deliver the media output, derived from the subset of media assets and the execution of the subset of media programs, to the one or more media output devices connected to the output platforms 117 or 118.
Page 12, lines 26-27	The dynamic display engine 123 delivering media output to the one or more media output devices...
Page 13, line 25 – page 14, line 9	<p>The media program component 102.2 is customisable in terms of the content of the media assets assigned to the various media programs. The media programs support a hierarchical navigational structure of nodes extending from a root node. A media program node includes a media layout template selected from the media layout template component 102.4, and associated media assets 102.3.</p> <p>The content manager 119 provides capacity to add, delete, modify or move media program nodes to or from the media program component 102.2.</p> <p>...</p> <p>Media layout templates in the media layout template component 102.4 provide a framework for situating individual media assets into a node of a media program within the media program component 102.2.</p>

Clarifying amendments have been made to several of the dependent claims.

Turning now to reasons why applicant believes that all of the claims remaining in this application, particularly as amended, are allowable, applicant respectfully submits the following:

35 U.S.C. 102 Rejections

The Office Action asserts that Headings et al. discloses all of the features of Claims 1 and 22. As noted above, Claims 1 and 22 have been amended to include the limitation of:

"media programs" including **"at least one media layout template, a hierarchical navigational structure and associated media assets"** to specify how the media assets are laid out and behave when published; and

a **"dynamic display engine"** which runs on the "output platform" to cause publication of the media assets in the manner specified by the media programs.

Headings et al. is concerned with streaming media. More specifically, Headings et al. is directed to systems and methods for the preparing, programming, and publishing media assets for storage prior to transmission of media data. In one form, media assets are combined with metadata to form media content data structures suitable for subsequent distribution and storage at one or more memory storage locations where it may be accessible for viewing over a network by consumers during a selected interval of time. Thus, in contrast to the claimed subject matter, Headings et al. is concerned with the business process that takes place while staging media assets for distribution to third parties and does not focus on providing a mechanism to dynamically display media assets. In fact, other than acknowledging that the user devices may differ from each other, Headings et al. is silent on how media is displayed, stored, or treated at the user device.

It is submitted that Headings et al. does not teach or suggest the use of "media programs including at least one media layout template, a hierarchical navigational structure and associated media assets" to specify how the media assets are laid out and behave when published at a user device. Moreover, there is no disclosure of a component equivalent to a "dynamic display engine" in Headings et al. As recited in Claims 1 and 22, the dynamic display engine runs on an "output platform" and has the function of generating the display on the output devices from a pre-selected subset of media assets in the manner as specified by the media programs.

Moreover, as noted above, since Headings et al. does not disclose hierarchical navigation structures within media programs or the use of media layout information, it is submitted that there is no basis for inferring that the playing or rendering of media assets in Headings et al. happens according to one any form of media layout template or hierarchical navigational structures, as claimed.

Accordingly it is submitted that amended Claims 1 and 22 are novel and inventive over the prior art.

The dependent claims are also submitted to be novel and inventive at least by virtue of their dependence on a patentable base claim.

35 U.S.C. 103 Rejections

It is submitted that the additional prior art cited under paragraphs 6 to 8 of the Office Action do not address the shortcomings of Headings et al., and thus the claimed invention is patentable in view of these references.

Copley et al. discloses a content distribution system that provides the ability for a user to select content from one location and, if problems develop in streaming the content to the user, to automatically fall back to a second location for the content. The streaming nature of Copley et. al. makes it largely irrelevant to the present invention, which does not rely on streaming at all. Instead, the claims recite the storage of a local copy of a subset of the media assets and a subset of the media programs.

Devine et al. is a data processing system that includes a network of connected devices, which cooperate to generate reports on operations under their control, e.g., manufacturing operations. The individual connected devices can be operated in a connected and disconnected state. Devine et al. does not teach or suggest the features omitted from Headings et al.

Kane discloses a system for producing, publishing, distributing, managing, and viewing content over one or more platforms. The system has a production module to produce and publish content for one or more platforms; a management module that stores, manages, processes, and distributes the content; and a hierarchical communications network to serve end users and manage transfer of the content. However, Kane fails to disclose the at least the following features of Claim 1:

- storing and serving the media assets and media programs, said media programs including at least one media layout template, a hierarchical navigational structure, and associated media assets for publication of the media assets.
- a central media database for storing and serving the media assets and media programs, said media programs including at least one media layout template, a hierarchical navigational structure, and associated media assets for publication of the media assets.
- storing a local copy of a subset of the media assets and a subset of the media programs, and its respective dynamic display engine selectively publishing the subset of media assets at the one or more media output devices according to at least one media layout template and hierarchical navigational structure include in the media program stored at the output platform.

Accordingly, it is submitted that these additional citations fail to teach or suggest the features omitted from Headings et al. and the present invention is patentable over the cited prior art.

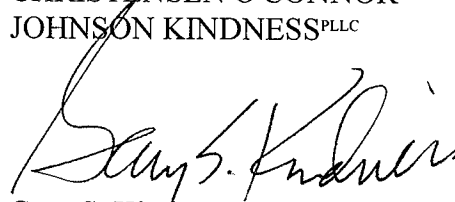
CONCLUSION

In view of the foregoing amendments and remarks, applicant respectfully submits that all of the claims remaining in this application are allowable. Consequently, early and favorable action passing this application to issue is requested.

If the Examiner has any remaining concerns, the Examiner is invited to contact applicant's attorney at the number set forth below to discuss them.

Respectfully submitted,

CHRISTENSEN O'CONNOR
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A handwritten signature in black ink, appearing to read "Gary S. Kindness", is written over the printed name and firm name.

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